

**AMENDMENTS****In the Claims:**

1. (Previously Presented) An image processing apparatus for transmitting and receiving data to/from an external apparatus that has a storage apparatus, the image processing apparatus comprising:

a first data acquiring unit that acquires image data to be subjected to image processing;

a storage unit that stores the acquired image data;

a transmission unit that transmits the acquired image data to the external apparatus so that the transmitted image data is stored in the storage apparatus thereof while the storage unit stores the acquired image data;

a judgment unit that judges, prior to commencement of the image processing, whether the image data is stored in the storage unit;

a second data acquiring unit that acquires the image data from the external apparatus if the judgment unit judges negatively; and

an image processing unit that executes the image processing using the image data stored in the storage unit if the judgment unit judges positively, and executes the image processing using the image data acquired by the second data acquiring unit if the judgment unit judges negatively.

2. (Original) The image processing apparatus of Claim 1 further comprising a deletion instructing unit that, after the image

processing is completed, sends to the external apparatus an instruction to delete the image data from the storage apparatus.

3. (Original) The image processing apparatus of Claim 1, wherein the transmission unit transmits the acquired image data page by page to the external apparatus.

4. (Original) The image processing apparatus of Claim 3, wherein

the storage unit has a capacity only sufficient to store one page of the image data, and each time the image processing unit completes image processing for one page of the image data stored in the storage unit, the second data acquiring unit acquires from the external apparatus another one page of the image data to be subjected to the image processing next.

5. (Original) The image processing apparatus of Claim 1 further comprising a memory that stores information regarding progress of the image processing, wherein

when executing the image processing using the image data acquired by the second data acquiring unit, the image processing unit refers to the information stored in the memory and executes the image processing for a part of the image data that has not been subjected to the image processing yet.

6. (Original) The image processing apparatus of Claim 5, wherein the information stored in the memory indicates pages of the image data that have already been subjected to the image processing.

7. (Original) The image processing apparatus of Claim 5, wherein the memory is a nonvolatile memory.

8. (Original) The image processing apparatus of Claim 1, wherein the external apparatus functions as a mail server, the transmission unit transmits to the external apparatus an electronic mail addressed to the image processing apparatus and containing the acquired image data, and

the second data acquiring unit, if the judgment unit judges negatively, acquires the electronic mail from the external apparatus and extracts the image data from the acquired electronic mail.

9. (Original) The image processing apparatus of Claim 8, wherein the transmission unit converts the acquired image data into Tag Image File Format, and transmits to the external apparatus an electronic mail addressed to the image processing apparatus and containing the image data having been converted into Tag Image File Format, as an attached file.

10. (Original) The image processing apparatus of Claim 1, wherein the storage unit is a volatile memory.

11. (Currently Amended) The image processing apparatus of Claim 1, wherein the judgment unit judges whether the image data is stored in the storage unit each time power is turned on or each time the image processing apparatus recovers from a power failure.

12. (Previously Presented) The image processing apparatus of Claim 11 further comprising:  
a reception unit that receives image processing jobs each of which contains information specifying a start time at which an image processing job is to be subjected to the image processing;  
and

a start time judging unit that judges, each time power is turned on or each time the image processing apparatus recovers from a power failure, whether any of the image processing jobs received by the reception unit has a start time that has already reached, wherein

if the judgment unit judges negatively, and if there is an image processing job that has been judged by the start time judging unit as having a start time that has already reached, the second data acquiring unit acquires image data for the image processing job from the external apparatus earlier than image data for the remaining image processing jobs received by the reception unit.

13. (Original) The image processing apparatus of Claim 1, wherein  
the image processing is an image forming process.

14. (Original) The image processing apparatus of Claim 1, wherein  
the image processing is a fax transmission process.

15. (Original) The image processing apparatus of Claim 1, wherein  
the first data acquiring unit is a receiving unit that receives print data from an external terminal connected with the image processing apparatus via a network.

16. (Original) The image processing apparatus of Claim 1, wherein

the first data acquiring unit is a fax receiving unit that receives fax data from an external fax apparatus.

17. (Currently Amended) An image processing method for use in an image processing apparatus that is operable to transmit and receive data to/from an external apparatus that has a storage apparatus, the image processing method comprising:

a first data acquiring step for acquiring image data to be subjected to image processing;

a storage step for storing the acquired image data in a storage unit;

a transmission step for transmitting the acquired image data to the external apparatus so that the transmitted image data is stored in the storage apparatus while the storage unit stores the acquired image data;

a judgment step for judging, prior to commencement of the image processing, whether the image data is stored in the storage unit;

a second data acquiring step for acquiring the image data from the external apparatus if the judgment unit judges negatively; and

an image processing step for executing the image processing using the image data stored in the storage unit if the judgment unit judges positively, and executing the image processing using the image data acquired by the second data acquiring unit step if the judgment unit-step judges negatively.

18. (Currently Amended) A program that is run in an image processing apparatus that is operable to transmit and receive data to/from an external apparatus that has a storage apparatus, the program stored in a memory of and causing the image processing apparatus to execute:

a first data acquiring step for acquiring image data to be subjected to image processing;

a storage step for storing the acquired image data in a storage unit;

a transmission step for transmitting the acquired image data to the external apparatus so that the transmitted image data is stored in the storage apparatus while the storage unit stores the acquired image data;

a judgment step for judging, prior to commencement of the image processing, whether the image data is stored in the storage unit;

a second data acquiring step for acquiring the image data from the external apparatus if the judgment unit judges negatively; and

an image processing step for executing the image processing using the image data stored in the storage unit if the judgment unit judges positively, and executing the image processing using the image data acquired by the second data acquiring ~~unit~~ step if the judgment ~~unit~~ step judges negatively.

19. (Previously Presented) The image processing apparatus of claim 1, wherein the first data acquiring unit is an image reading unit which scans documents.

20. (Previously Presented) The image processing apparatus of claim 1, wherein the storage unit stores image data expanded based on the image data acquired by the first data acquiring unit.

21. (New) The image processing apparatus of claim 1, wherein  
the external apparatus is provided as a first-external apparatus,  
the first data acquiring unit has a receiving unit that receives the image data from a second external apparatus,

the transmission unit transmits the acquired image data received from the second external apparatus to the first external apparatus, and

the image processing unit executes a printing process using the image data stored in the storage unit if the judgment unit judges positively, and executes the printing process using the image data acquired by the second data acquiring unit if the judgment unit judges negatively.

22. (New) The image processing apparatus of claim 1, wherein

the first data acquiring unit has an image reading unit that acquires image data through scanning a document,

the transmission unit transmits the acquired image data read by the image reading unit to the external apparatus, and

the image processing unit executes a fax transmission process using the image data stored in the storage unit if the judgment unit judges positively, and executes the fax transmission process using the image data acquired by the second data acquiring unit if the judgment unit judges negatively.